

HOUSE JOINT RESOLUTION 1228
By Niceley

A RESOLUTION to make application to the United States Congress to call a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States relative to immigration and the control of this nation's borders.

WHEREAS, the power to control immigration and naturalization is exclusively reserved to the federal government by the provisions of Article I, Section 8 of the United States Constitution, which places the authority to set rules for naturalization in the legislative branch; and

WHEREAS, the United States Congress first exercised that power by passing the Act of March 26, 1790, which provided the first rules to be followed in the granting of national citizenship; and

WHEREAS, since then, immigration and naturalization laws have been revised from time to time; and

WHEREAS, immigration into the United States was essentially unrestricted until a permanent quota system was created in 1924; and

WHEREAS, the United States allows over 660,000 legal immigrants per year; and

WHEREAS, the Immigration Act of 1990 permits 480,000 immigrants per year with family in the U.S., 140,000 immigrants in needed employment fields, and 40,000 immigrants under per-country limits and diversity limits; and

WHEREAS, it is conservatively estimated that there are eleven million illegal aliens in the United States; and

WHEREAS, the United States legal system has decreed that education and emergency medical care cannot be denied even to those who have come here illegally; and

WHEREAS, the cost of medical care, education, and incarceration of illegal immigrants is monumental, being estimated at \$10 billion a year in California alone; and

WHEREAS, the costs of supporting illegal aliens in this country fall directly on the several states, and their counties and cities; and

WHEREAS, that burden has become overwhelming in some areas of the country, where high concentrations of illegal aliens have caused some hospitals to declare bankruptcy; and

WHEREAS, current immigration policy is threatening the American standard of living; and

WHEREAS, current immigration policy is fraught with unintended consequences and is causing great injury to our economy and national security; and

WHEREAS, the Constitution of the United States reserves to the several states the right to call a convention for proposing amendments to the Constitution; and

WHEREAS, amendments proposed at a convention called by the several states will become a part of the Constitution and the law of the land upon ratification of three-fourths (3/4) of the states; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that pursuant to Article V of the Constitution of the United States, application is hereby made to the United States Congress to call a convention for the purpose of considering and proposing an amendment to the Constitution of the United States to:

(1) Establish rational standards for legal immigration and ensure the enforcement of immigration laws and policies; and

(2) Establish effective control of the United States of America's borders by the federal government to stop illegal immigration.

BE IT FURTHER RESOLVED, that this application shall constitute a continuing application for such convention under Article V of the Constitution of the United States until the legislatures of two-thirds (2/3) of the several states shall have made like applications and such convention shall have been called and held in conformity therewith.

BE IT FURTHER RESOLVED, that the State of Tennessee does hereby request its sister states to join Tennessee in calling for a constitutional convention to consider adoption of an amendment relative to immigration and border control.

BE IT FURTHER RESOLVED, that as this application under Article V of the Constitution of the United States is the exercise of a fundamental power of the sovereign states under the Constitution of the United States, it is requested that receipt of this application by the Senate and the House of Representatives of the Congress of the United States be officially noted and duly entered upon their respective records, and that the full contents of this resolution be published in the official publication of both the Senate and the House of Representatives of the Congress.

BE IT FURTHER RESOLVED, that enrolled copies of this resolution be sent to the President of the United States, the Speaker and the Clerk of the United States House of Representatives, the President and the Secretary of the United States Senate, the presiding officers of the state legislative bodies in each of the several states of the United States of America, and to each member of Tennessee's Congressional delegation.